

Remarks

Claims 1-10 are pending in the application. Claim 1 has been amended herewith. No new matter has been added by the amendments. Reconsideration is respectfully requested.

Rejections Under 35 U.S.C. § 103

Claims 1-10 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Portman et al. (US 6,944,447) in view of McClure (US 6,684,082). This rejection is respectfully traversed.

In making the rejection, the Examiner stated:

Portman does not explicitly teach, "a priority logic means for sorting said found services, applications and content in a prioritized list according to predefined priority rules". However, McClure teaches, [ ] "a priority logic means for sorting said found services, applications and content in a prioritized list according to predefined priority rules" (Abstract). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use M[c]Clure teaching of a priority logic in the invention of Portman because McClure teaches his invention provides controlling the operation of the mobile station preferably controls at least one of scanning behavior or a [camping] behavior of the mobile station (Abstract).

Applicant respectfully submits that McClure fails to teach or suggest "a Priority Logic means for sorting said found services, applications and content in a prioritized list according to predefined priority rules" as recited in Applicant's independent claim 1. From Applicant's claim 1, it is seen that "said found services, applications and content" are "services, applications and content among said services, applications and content in said one or more databases satisfying specifications defined by the commands and inquiries from the Interpreter module means." Further, regarding the Interpreter module means, claim 1

recites, "an Interpreter module means connected to receive a user-entered text phrase in the user's own natural language by means of a text and grammar recognition process, said module for outputting commands and inquiries based on the result of said text and grammar recognition process...." Thus, "said found services, applications and content" (Applicant's claim 1), which the claimed Priority Logic means sorts in a prioritized list according to predefined priority rules, are derived from a user-entered text phrase in the user's own natural language.

In contrast, McClure fails to disclose a Priority Logic Means that sorts found services, applications and content that are derived from a user-entered text phrase in the user's own natural language in a prioritized list according to predefined priority rules. Instead, McClure discloses:

The method has a first step of storing data into a memory within the mobile station, the stored data including at least one system operator code (SOC) having an assigned priority value. Upon the mobile station receiving a system identification (SID) associated with the stored SOC, the method stores the SID into the memory so as to have the same priority value that is assigned to the SOC. When the mobile station subsequently receives a transmission containing the SID and not the SOC, the mobile station accesses the memory to determine the priority value associated with the SID, and then controls the operation of the mobile station based on the priority value. The step of controlling the operation of the mobile station preferably controls at least one of a scanning behavior or a camping behavior of the mobile station. McClure, Abstract.

McClure fails to teach or suggest that the data stored within the memory of the mobile station and prioritized, namely the SOC and the SID, is derived from a user-entered text phrase in the user's own natural language. When describing how data comes to be stored in the mobile station memory McClure merely states that the SOC data is stored in the memory, that the mobile station receives a SID, and that the mobile station receives a transmission containing the SID.

McClure fails to teach or suggest that its prioritized data is derived from a user-entered text phrase in the user's own natural language, as claimed in Applicant's claim 1.

If the teachings of McClure were combined with Portman, a request for information generated by a user of a remote terminal described in Portman, would not be prioritized. Instead, the SOC and SID of the wireless communication device of McClure would be prioritized, as disclosed in McClure. So though McClure may disclose a priority logic means for sorting SID and SOC, it fails to disclose a priority logic means for sorting data derived from a user-entered text phrase in the user's own natural language as claimed in claim 1.

It appears that the Examiner is relying on hindsight reconstruction in rejecting the present claim. Applicant submits that it is improper to select isolated elements from prior art references with the benefit of hindsight and use the disclosure of the patented invention as a template to recreate the patented invention. Interconnect Planning Corp. v. Feil, 774 F.2d 1132, 1143 (Fed. Cir. 1985). Applicant submits that McClure teaches a specific type of prioritizing. Thus, it is improper to use McClure for the teaching of prioritizing data in general or of prioritizing services, application and content as claimed in claim 1. The prioritizing step of McClure is used only with system identification information, such as SIDs, and SOCs which are not taught or suggested in McClure to be derived from a user-entered text phrase in the user's own natural language.

Additionally, Applicant submits that one of skill in the art would not be motivated to combine the cited Portman and McClure references as McClure was concerned with

operational aspects of a mobile station, namely as scanning and camping. In contrast, Portman was concerned with user requests for information.

Claims 2-9 depend either directly or indirectly from claim 1 and are therefore novel and non obvious over the cited references for at least the same reasons as claim 1.

Further, the cited references fail to teach or suggest Applicant's independent claim 10. Specifically, the cited references fail to teach or suggest "sorting said found services, applications and content in a prioritized list according to predefined priority rules," as recited in claim 10. "Said found services, applications and content" are derived from a user-entered text phrase in a user's own natural language. Specifically, claim 10 recites, "interpreting a user-entered text phrase in a user's own natural language by means of a text and grammar recognition process, providing search commands and inquiries based on the result of said text and grammar recognition process, searching services, applications and content among said services, applications and content in said one or more databases satisfying specifications defined by said commands and inquiries, and sorting said found services, applications and content in a prioritized list according to predefined priority rules." As stated above, McClure fails to supplement the missing teachings of Portman. Specifically, McClure fails to teach or suggest that the data stored within the memory of the mobile station and prioritized, namely the SOC and the SID, is derived from a user-entered text phrase in the user's own natural language as claimed in claim 10. Therefore, for at least this reason, claim 10 is novel and non obvious over the cited references.

Conclusion

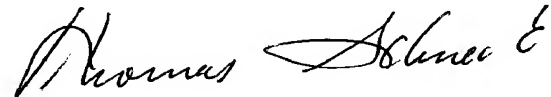
For at least the reasons submitted above, Applicant submits that the claims are in condition for allowance. Accordingly, a Notice of Allowance is respectfully requested.

Respectfully submitted,

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Signed: Merle P. Garcia  
Typed Name: Merle P. Garcia  
Date: July 3, 2008



Thomas Schneck  
Reg. No. 24,518  
Schneck & Schneck  
P.O. Box 2-E  
San Jose, CA 95109-0005  
(408) 297-9733